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11 Attorneys for Respondents

12 City of Milpitas, City of Milpitas City Council, City of
Milpitas Mobile Home Park Rent Review Board

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION
16

17 Milpitas Mobile Home Estates, a California
18 Limited Partnership, dba Friendly Village
Mobile Home Estates,

19 Petitioner,

20 v.

21 The City of Milpitas, the City of Milpitas
22 City Council, the Mobile Home Park
Rental Review Board,

23 Respondents,
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25 The Tenants Residing at Friendly Village
Mobile Home Estates,

26 Real Parties in Interest.
27

Case No. CV 12-03386 EJD

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

IT IS HEREBY STIPULATED by and between Petitioner Milpitas Mobile Home Estates, dba Friendly Village Mobile Home Estates, ("Petitioner") and Respondents City of Milpitas, City of Milpitas City Council, and City of Milpitas Mobile Home Park Rent Review Board ("Respondents") (together, the "Parties") through their respective counsel as follows:

WHEREAS, the Case Management Conference in this matter is currently set for November 16, 2012 at 10:00 a.m. in Courtroom 4 of this Court;

WHEREAS, counsel for both Petitioner and Respondents will be appearing at 9:00 a.m. that same morning in the San Francisco/Oakland Division of the United States District Court, Northern District for oral argument on a motion to dismiss under Federal Rule of Civil Procedure 12(b) in Case No. C11-05015, *Rancho de Calistoga v. City of Calistoga, et al.*;

WHEREAS, on October 8, 2012, the Parties stipulated (and the Court subsequently ordered) that the deadline for Respondents' response to the Petition for Writ of Administrative Mandate ("Petition") in this matter be extended to December 10, 2012;

WHEREAS, the November 16, 2012 Case Management Conference had been scheduled for a date more than one month after the response to the Petition was due, but with the extension of time it is now scheduled for a date almost one month before the response is due;

WHEREAS, the Parties wish to continue the Case Management Conference from November 16, 2012 to a date when the Parties are not scheduled to appear for another court appearance, and after the date when Respondents' response to the Petition is due;

WHEREAS, counsel for Respondents is not available for any of the days on which the Court hears Case Management Conferences in December 2012, nor for the January 11, 2013 date;

NOW, THEREFORE, the Parties stipulate and agree as follows:

1. The Case Management Conference currently set for November 16, 2012 is continued to January 18, 2013 at 10:00 a.m. in Courtroom 4, 5th Floor, San Jose Division.

2. The execution of this stipulation shall not constitute a general appearance by any of the Respondents.

3. This stipulation may be electronically filed and executed in counter parts, and

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1 copies (e.g. electronic copies, facsimiles or photocopies) shall constitute good evidence of such
2 execution.

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4 Dated: October 26, 2012

BURKE, WILLIAMS & SORENSEN, LLP

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6 By: /s/ Matthew D. Visick

7 Thomas B. Brown
8 Amy E. Hoyt
9 Matthew D. Visick
10 Attorneys for Respondents

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12 Dated: October 25, 2012

LAW OFFICE OF ANTHONY C. RODRIGUEZ

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14 By: /s/ Anthony C. Rodriguez

15 Anthony C. Rodriguez
16 Attorney for Petitioner

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18 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

19 The parties shall file a joint case management conference statement on or before January 11, 2013

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21 Dated: 11/1/2012

22
23 By: 
24 HON. EDWARD J. DAVILA